

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- November 22, 1967

Appeal No. 9382 James & Maggie Watts, appellants.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered by the Board at its meeting on November 30, 1967

EFFECTIVE DATE OF ORDER - July 31, 1968

ORDERED:

That the appeal for permission to extend use for single family dwelling a distance of 35 feet into the adjoining C-M-1 District at 1047 44th St., N.E., lot 872 Sq. 5125 be granted.

FINDING OF FACTS:

(1) The subject property is located in an mixed zoning district, a portion of the property being zoned C-M-1 and the other portion being R-2.

(2) It is proposed to erect a single family dwelling on the site.

(3) The property has an irregular shape and abuts the Baltimore and Ohio Railroad right of way. The lot contains approximately 5, 919.30 square feet of land.

(4) A house was on the property and stood until 1953 when it was razed. The property is now used to accumulate debris and the owner has been cited for failure to clean the property.

(5) The record contains four notices to abate a nuisance issued by the Bureau of Community Hygiene (BZA Exhibits Nos. 13 through 16).

(6) There was no opposition to the granting of this appeal registered at the public hearing.

OPINION:

We are of the opinion that the appellant has shown a hardship within the meaning of the variance clause of the zoning regulations and sufficient to support a variance. The refusal to grant the requested relief will prevent

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a reasonable use of the property and the granting of this appeal will not adversely affect the use of nearby and adjoining property and will not substantially impair the intent and purpose or integrity of the zone plan as embodied in the Zoning Regulations and Map.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: James E. Bess  
JAMES E. BESS  
Secretary of the Board